

Excerpt from "Peace and War"
United States Foreign Policy - 1931-1941,
which is prosecution exhibit No. 401
page 36

"Panay" Incident

On December 12, 1937 the Government and people of the United States were deeply shocked by the news of the bombing and destruction by Japanese aircraft of the United States gunboat Panay and three United States merchant vessels on the Yangtze River in China. The bombing and machine-gunning of the crews and passengers resulted in loss of life to citizens of the United States. This Government immediately sent a note to the Japanese Government stating that the United States vessels involved were on the Yangtze River "by uncontested and incontestable right", that they were flying the American flag, and that they were engaged in legitimate and appropriate business. The Government of the United States requested and expected of the Japanese Government "a formally recorded expression of regret, an undertaking to make complete and comprehensive indemnifications; and an assurance that definite and specific steps have been taken which will insure that hereafter American nationals, interests and ^{-ios} property in China will not be subjected to attack by Japanese armed forces or unlawful interference by any Japanese authorities or forces."

This note was sent to Japan on the evening of December 13. On December 14 the United States Ambassador to Japan received a note from the Japanese

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Minister for Foreign Affairs stating that the Japanese Government regretted "most profoundly" the damage to these vessels and the casualties among the personnel; that it desired to present "sincere apologies"; that it would make indemnifications for all the losses; that it would deal "appropriately" with those responsible for the incident; and that it had already issued "strict orders to the authorities on the spot with a view to preventing the recurrence of a similar incident". Finally, the Japanese Government expressed the "forwent hope" that the friendly relations between Japan and the United States would not be affected by this "unfortunate affair". The Japanese Government later made full indemnification in accordance with the request of the United States.

The overwhelming endorsement given by the people of the United States to the manner in which the Panay incident was settled attested to their earnest desire to keep the United States out of war.

「戦争と平和」より抜萃

検察官側書證 第四〇一號第三十六頁

一九三一年一九四一年合衆國對外政策

「パネー号事件」

一九三七年十二月十二日に合衆國政府並に人民は支那揚子江上に於ける合衆國砲艦パネー號並に三隻の合衆國商船が日本の飛行機により爆撃をうけ、破壊せられたる報道を聞き少からぬ衝撃をうけた爆撃と機銃掃射により合衆國の船員並ひに乗客の死亡せる事實を生じたり、合衆國政府は即座に日本政府に對し右合衆國船は「争ひなき然りして争ひ得られざる權利」により揚子江上にありアメリカの國旗をかかげ然りして合法且つ正當なる業務に従事してをった事につき書面を送つた合衆國政府は日清戦争に對し正式なる書面による謝罪並ひに完全且包括的な賠償をなす時き了解並ひに今後に於ける支那に於けるアメリカの國民權益財産が日本の軍艦による攻撃もしくは日本政府當局或はその權力による不當なる干渉を受けないといふ保障が定日特別の手續のとらるべき保證を求

め且つ期待した。此の書面は十二月十三日の晩日本に送られた、十二月十四日日本に於ける米印大使は日本の外務大臣より右の如き書面を受取つた、即ち日本政府は之が船舶の損害並に人名の損失に關し「極めて遺憾なる」遺憾の意を表し「遺憾なる無明」をなさんことを希望し本事件の責任者に対して「善處」すべく且政府はすでに現地軍營局に對し「同機事件の事」記ることをなき機命を發したる」旨の書面を受取つた、最後に日本政府は此の「不幸なる事件」により日本と合衆國との間の友交關係がなほれざる様「熱意をこめて希望する」旨を述べた、日本政府はその「合衆國政府の要求に従つて完全なる賠償をなした。パネ」機事件の解決方法に關し合衆國國民によりそ、かれたる「賠償的」の實意は合衆國が戦争に捲き込まれぬやうにこの國民の熱意ある希望を證するものである。